

Part 6

Public Meetings, Executive Sessions, Records and Publication, Procedure

10-3-601 Business of governing body conducted only in open meeting.

All meetings of the governing body of each municipality shall be held in compliance with the provisions of Title 52, Chapter 4, Open and Public Meetings Act.

Amended by Chapter 14, 2006 General Session

10-3-603 Public records.

The governing body of each municipality shall keep a journal of its proceedings. The books, records, accounts and documents of each municipality shall be kept at the office of the recorder and approved copies shall be open and available to the public during regular business hours for examination and copying. The governing body may by resolution establish reasonable charges for providing copies of its public records to individuals, except when by law the municipality must provide the records without cost to the public.

Enacted by Chapter 48, 1977 General Session

10-3-604 Annual examination of municipal finances -- Publication of results.

At the end of each fiscal year, the governing body of each city of the first and second class shall cause a full and complete examination of all books and accounts of the city to be made by certified public accountants, and shall publish the results of the examination and a detailed and itemized statement of all receipts and disbursements of the city in a summary of their proceedings and expenses during the fiscal year. The city shall then provide printed copies to the newspapers of the city and to the city recorder who shall provide one copy of it to any person on request.

Amended by Chapter 49, 1981 General Session

10-3-605 Penalty.

Any person who shall violate any of the provisions of Section 10-3-603 or 10-3-604 without just cause shall be guilty of a class B misdemeanor.

Amended by Chapter 28, 1979 General Session

10-3-606 Rules of order and procedure.

(1) As used in this section, "rules of order and procedure" means a set of rules that govern and prescribe in a public meeting:

- (a) parliamentary order and procedure;
- (b) ethical behavior; and
- (c) civil discourse.

(2)

(a) Subject to Subsection (2)(b), a municipal legislative body shall:

- (i) adopt rules of order and procedure to govern a public meeting of the legislative body;
- (ii) conduct a public meeting in accordance with the rules of order and procedure described in Subsection (2)(a)(i); and

- (iii) make the rules of order and procedure described in Subsection (2)(a)(i) available to the public:
 - (A) at each meeting of the municipal legislative body; and
 - (B) on the municipality's public website, if available.
- (b) Subsection (2)(a) does not affect a municipal legislative body's duty to comply with Title 52, Chapter 4, Open and Public Meetings Act.

Repealed and Re-enacted by Chapter 107, 2011 General Session

10-3-607 Expulsion of members prohibited -- Exception for disorderly conduct.

- (1) Except as provided in Subsection (2), the governing body may not expel a member of the governing body from an open public meeting or prohibit the member from attending an open public meeting.
- (2) Except as provided in Subsection (3), following a two-thirds vote of the members of the governing body, the governing body may fine or expel a member of the governing body for:
 - (a) disorderly conduct at the open public meeting;
 - (b) a member's direct or indirect financial conflict of interest regarding an issue discussed at or action proposed to be taken at the open public meeting; or
 - (c) a commission of a crime during the open public meeting.
- (3) A governing body may adopt rules or ordinances that expand the reasons or establish more restrictive procedures for the expulsion of a member from a public meeting.

Repealed and Re-enacted by Chapter 196, 2015 General Session

10-3-608 Rules of conduct for the public.

The governing body on a two-thirds vote may expel any person who is disorderly during the meeting of the governing body. This section or any action taken by the governing body pursuant hereto does not preclude prosecution under any other provision of law.

Amended by Chapter 378, 2010 General Session

10-3-609 Action on committee reports.

Final action on any report of any committee appointed by the governing body shall be deferred to the next regular meeting of the governing body on the request of any two members, except that the council in a city of the third, fourth, or fifth class or a town may call a special meeting to consider final action.

Amended by Chapter 292, 2003 General Session

10-3-610 Requiring attendance of witnesses, production of evidence.

The governing body of each municipality may require the attendance of any person to give testimony or produce records, documents or things for inspection, copying or examination necessary or useful for the governance of the municipality. The governing body may by ordinance establish its own procedures for issuing subpoenas to require attendance and production under this section or it may issue subpoenas in its own name in the same manner as is provided in the Utah Rules of Civil Procedure.

Enacted by Chapter 48, 1977 General Session

